

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

REBECCA SANCHEZ, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

SEPHORA USA, INC.,

Defendant.

Case No: C 11-03396 SBA

**ORDER GRANTING PLAINTIFFS'  
UNOPPOSED MOTION IN  
SUPPORT OF APPROVAL OF  
SETTLEMENT**

This matter is now before the Court on Plaintiffs' Unopposed Motion in Support of Approval of Settlement Under the Fair Labor Standards Act and for Conditional Dismissal. Dkt. 93. Settlements of private FLSA collective action claims generally require court approval. See Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350, 1353 (11th Cir. 1982). Before conferring its approval, the district court must scrutinize the settlement to determine if it is "a fair and reasonable resolution of a bona fide dispute." Id. at 1354-55.

Upon reviewing the instant motion and supporting documentation, the Court previously found that Plaintiffs had made an inadequate showing to support judicial approval of the settlement. Dkt. 95. To rectify this deficiency, the Court directed Plaintiffs to file a supplemental memorandum as follows:

The supplemental memorandum shall include information, without limitation, pertaining to: how the settlement was reached; the potential, maximum amount of recovery Plaintiffs could have obtained with a favorable judgment on the merits; estimates regarding the number of overtime hours worked by each of the Plaintiffs and their potential range of recovery; information bearing upon the reasonableness of the attorneys' fees sought (i.e., lodestar data); a specification of and documentary support for the amount of litigations costs; and any other information that will demonstrate that the settlement is fair and reasonable.

1 Id. at 2.

2 On June 6, 2014, Plaintiffs timely filed their supplemental memorandum, which  
3 provides the information specified in the Court's Order for supplemental briefing. Dkt. 96.  
4 According to Plaintiffs, the parties negotiated the settlement over the course of a four  
5 month period after engaging in extensive formal and informal discovery. Plaintiffs also  
6 have provided the Court with various calculations relating to the potential recovery of  
7 "class" members that are sufficient to substantiate that the settlement is fair and reasonable  
8 under the circumstances presented. With regard to Plaintiffs' fee request in the amount of  
9 \$58,527.03 (based on 33.33% of the gross settlement), Plaintiffs have shown that such  
10 amount is significantly less than the lodestar (\$88,785, not including paralegal expenses).  
11 Finally, Plaintiffs have provided the necessary documentary support for reimbursement of  
12 litigation costs in the sum of \$12,000. See generally Josephson Decl., Dkt. 96-1. In sum,  
13 the Court is satisfied that the parties' settlement represents a fair and reasonable resolution  
14 of a bona fide dispute.

15 IT IS HEREBY ORDERED THAT:

16 1. Plaintiffs' Unopposed Motion in Support of Approval of Settlement Under  
17 the Fair Labor Standards Act and for Conditional Dismissal is GRANTED. Accordingly,  
18 this action is hereby conditionally dismissed, each party to bear its own fees and costs  
19 except as provided in the Stipulation Re: Settlement of Collective Action.


20 2. Upon the Court's receipt of a Joint Motion to Dismiss to be filed by the  
21 Parties no later than 60 days after the disbursement of the balance of the payments as  
22 specified in the Stipulation Re: Settlement of Collective Action, the Court will enter a final  
23 order dismissing with prejudice all claims of all Plaintiffs in this action, each party to bear  
24 its own fees and costs except as provided in the Stipulation Re: Settlement of Collective  
25 Action.

26 3. The parties shall appear for a telephonic Case Management Conference on  
27 August 27, 2014, at 2:30 p.m. At least seven (7) calendar days prior to the Case  
28 Management Conference, the parties shall meet and confer and file a Joint Case

1 Management Conference Statement that complies with the Standing Order for All Judges of  
2 the Northern District of California and the Standing Orders of this Court. See  
3 <http://www.cand.uscourts.gov/sbaorders>. Plaintiffs' counsel shall be responsible for filing  
4 the Joint Case Management Statement and setting up the conference call. At the date and  
5 time indicated above, Plaintiff's counsel shall call (510) 879-3550 with all parties on the  
6 line. NO PARTY SHALL OTHERWISE CONTACT CHAMBERS DIRECTLY  
7 WITHOUT PRIOR AUTHORIZATION OF THE COURT. In the event the parties file  
8 their anticipated Joint Motion to Dismiss and such motion is granted prior to the date of the  
9 Case Management Conference, the hearing will be vacated.

10 IT IS SO ORDERED.

11 Dated: June 16, 2014

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge